

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW HAMPSHIRE

\* \* \* \* \*  
\*  
KEVIN ROCHEVILLE \*  
V. \*  
THOMAS GOULDEN, MATTHEW KEENLISIDE, BRIAN \*  
MCCARTHY, JOSEPH O'ROARK, MICHAEL MCCALL, \*  
ALLISON CAPRIGNO, JODY HARRIS-STERN, JOHN DOES, \*  
JANE DOES, AND TOWN OF PELHAM, NH \*  
\* \* \* \* \*

Docket No. 19-CV-00169-AJ

DEPOSITION OF KEVIN ROCHEVILLE

Deposition taken at the LAW OFFICES OF  
CULLENCOLLIMORE, P.L.L.C., 10 E. Pearl Street,  
Nashua, New Hampshire, on Thursday, June 17, 2021,  
commencing at 9:23 p.m.

Page 5

1 having you state your name and your address.

2 A. Kevin R. Rocheville. 31 Jonathan Road,  
3 Pelham, New Hampshire.

4 Q. Okay. And I know your attorney has  
5 probably gone through some of the basic ground rules  
6 for the deposition. And I know you have had a  
7 deposition before, but just mostly for the  
8 stenographer's sake there are a couple of really  
9 important ones. One, is just make sure your answers  
10 stay -- keep your voice up. And if you can answer  
11 out loud. If you shake or nod, either your lawyer  
12 or I will just prompt you to give us an oral  
13 response. Okay.

14 A. Yes, Sir.

15 Q. And if you don't understand a question that  
16 I ask you, just let me know. And I will rephrase it  
17 as best I can, okay.

18 A. Yes, Sir.

19 Q. Okay. And as you're already doing if you  
20 can just let me finish my question before you  
21 answer, that's great. And if you -- and I'll try to  
22 do you the same courtesy. There are going to be  
23 times when you know in advance what I'm going to ask

Page 6

1 you, and the inclination is to sort of jump in and  
2 answer, but it's hard for Kim to type down both of  
3 us at the same time, okay.

4 A. Yes, Sir.

5 Q. Okay. If you need to take breaks at any  
6 time you don't have to tell me why. Just say you  
7 want to take a break. And we'll take one, okay.

8 A. Yes, Sir.

9 Q. How are you feeling today?

10 A. Good, Sir.

11 Q. Are you on any medications or anything?

12 A. No, Sir.

13 Q. Tell me a little bit about yourself,  
14 Mr. Rocheville. How old are you today?

15 A. 55 years old.

16 Q. And where did you grow up?

17 A. Tyngsborough, Mass.

18 Q. How long have you been at 31 Jonathan Road?

19 A. Since 220.

20 Q. When you say, "220," 2020?

21 A. Yes, Sir.

22 Q. So just a year ago?

23 A. No. The house was built in the year -- the

Page 7

1 house is 20 years old.

2 Q. Okay. Do you mean, maybe, 2001, then?

3 A. Yeah. The year 2000 the house was built.

4 Q. Okay. And you moved into it in 2001?

5 A. Yes, Sir.

6 Q. Okay. I thought I heard you say, "220."  
7 And I wasn't sure if you meant last year, 2020. Are  
8 you presently married?

9 A. No.

10 Q. Did you go to high school down in  
11 Tyngsborough, in that area?

12 A. Yes.

13 Q. Okay. And did you graduate high school?

14 A. Yes.

15 Q. And what did you -- what year was that?

16 A. 1983.

17 Q. After high school did you go onto any other  
18 education or certifications?

19 A. I did some college at University of Lowell.

20 Q. Okay. Did you complete a course there or a  
21 degree?

22 A. I did not.

23 Q. Okay. What's your current occupation?

Page 8

1 A. Heavy equipment mechanic.

2 Q. Okay. And did you receive some sort of  
3 training or certificate to do that?

4 A. Yes.

5 Q. And where did you perform that?

6 A. I worked for different dealerships;  
7 Manchester Mack. I worked for Paul Products in  
8 Wakefield, Mass. Cummins Northeast. Various  
9 dealerships.

10 Q. Okay. And that's where you got your  
11 experience in working for -- on heavy equipment?

12 A. Yes.

13 Q. Okay. And I apologize. Where are you  
14 currently employed?

15 A. I'm self-employed.

16 Q. And what is it that you do?

17 A. Repair equipment on-site.

18 Q. How long have you been doing that  
19 self-employed?

20 A. Last five years.

21 Q. At the time in October of 2016 when the  
22 search warrant was executed at your house at 31  
23 Jonathan Road where were you working then?

Page 13

1 A. It's been a couple of years.  
 2 Q. And how long -- did you ever live with Ms.  
 3 Bordeleau?  
 4 A. Yes.  
 5 Q. When was that?  
 6 A. 17 years total time.  
 7 Q. And what was the end of that? What date  
 8 did that end?  
 9 A. I don't remember the approximate dates.  
 10 Q. Okay. Relative to 2016 -- well, let me,  
 11 actually, say this differently. You said your  
 12 younger son's name is Grayson?  
 13 A. Yes, Sir.  
 14 Q. And he's approximately 12?  
 15 A. Yes, Sir.  
 16 Q. About how old was he when you and Ms.  
 17 Bordeleau split up?  
 18 A. About a year old.  
 19 Q. So safe to say, it was about 11 years or so  
 20 ago that you and Ms. Bordeleau broke up?  
 21 A. I don't remember the exact dates.  
 22 Q. Okay. But around the time Grayson was one?  
 23 A. Yes, Sir.

Page 15

1 he had been the Chief and then was fired. Is that  
 2 something you know for a fact?  
 3 A. I was told that by Cheryl Bordeleau and  
 4 Tracy Goulden.  
 5 Q. And is Tracy Goulden Thomas Goulden's wife?  
 6 A. Yes, Sir.  
 7 Q. Do you know if they are still married?  
 8 A. I do not.  
 9 Q. When did Tracy -- when did Ms. Goulden tell  
 10 you that her husband had been fired?  
 11 A. I don't remember the specific dates.  
 12 Q. Okay. How about this. How -- how -- when  
 13 was the last time you spoke with Ms. Goulden?  
 14 A. I don't you remember the exact dates, Sir.  
 15 Q. Okay. Was it prior to your arrest in 2016?  
 16 A. Yes, Sir.  
 17 Q. Do you recall how much prior?  
 18 A. I do not.  
 19 Q. Do you know if it was more than a year  
 20 before your arrest?  
 21 A. I don't recall, Sir.  
 22 Q. And I think you told me that you heard that  
 23 from both Ms. Goulden and Ms. Bordeleau?

Page 14

1 Q. Prior to you and Ms. Bordeleau separating  
 2 did she live with you at Jonathan Street?  
 3 A. 31 Jonathan Road.  
 4 Q. Did she live with you at 31 Jonathan Road?  
 5 A. Yes, Sir.  
 6 Q. And was that true since the house was  
 7 built?  
 8 A. Yes, Sir.  
 9 Q. How did you first meet Ms. Bordeleau?  
 10 A. She was a hairdresser in Pelham at Sassy  
 11 Samples. She cut my hair. I asked her out on a  
 12 date. And we got together at that point.  
 13 MR. CULLEN: I'm going to just show you a  
 14 copy of your complaint. And I'll just ask that we  
 15 mark this as Exhibit 1. And ask you a few questions  
 16 from that.  
 17 (Rocheville Exhibit 1 was  
 18 marked for identification.)  
 19 (Document handed to witness.)  
 20 Q. BY MR. CULLEN: Sir, turn to page two,  
 21 Paragraph 14, at the very bottom. You reference  
 22 that Goulden was fired. Lieutenant Goulden was  
 23 fired by the Town of Brookline, New Hampshire. That

Page 16

1 A. Yes, Sir.  
 2 Q. Do you recall when Miss Bordeleau told you  
 3 that?  
 4 A. I don't remember the exact dates.  
 5 Q. Did either Miss Goulden or Miss Bordeleau  
 6 tell you why then Chief Goulden was fired from  
 7 Brookline?  
 8 A. No, Sir.  
 9 Q. Do you have any other independent knowledge  
 10 of why he was fired, if he was fired?  
 11 A. I do not.  
 12 Q. Okay. On page three, Paragraph 15, you  
 13 state that on or before May 20th, 2014 Goulden began  
 14 to have a sexual affair with your girlfriend, Cheryl  
 15 Bordeleau. How much -- well, first of all, how do  
 16 you know that to be true, if it's true?  
 17 A. My son, Aiden Rocheville. Mr. Goulden,  
 18 Thomas Goulden, bought him baseball equipment. And  
 19 he overheard his mother talking.  
 20 Q. And what did he overhear his mother say, or  
 21 what did he report to you?  
 22 A. He basically told me his mother was dating  
 23 Thomas Goulden. And that he had been to his ball

Page 17

1 games.  
 2 Q. Were you still together with Ms. Bordeleau  
 3 at that time?  
 4 A. Yes.  
 5 Q. Was she still living with you at that time?  
 6 A. Yes.  
 7 Q. Did you confront Miss Bordeleau about that?  
 8 A. Yes.  
 9 Q. And what did she say?  
 10 A. That her private affairs were none of my  
 11 business.  
 12 Q. Can I assume you disagreed with that?  
 13 A. I did disagree, yes.  
 14 Q. Is that what caused you and Miss Bordeleau  
 15 to split up?  
 16 A. I believe it had a large impact on our  
 17 relationship.  
 18 Q. Other than the comment made by your son,  
 19 Aiden, did you have any other evidence that Ms.  
 20 Bordeleau was having some sort of an affair or  
 21 relationship with Mr. Goulden?  
 22 A. Yes, I did.  
 23 Q. And what was that?

Page 19

1 Q. Relative to the date that's referenced in  
 2 Paragraph 15 of the complaint, May 20th of 2014, was  
 3 this picture taken before or after that?  
 4 A. Approximately the same time.  
 5 Q. Did you ever speak to Thomas Goulden about  
 6 your belief that he was having an affair with Ms.  
 7 Bordeleau?  
 8 A. Yes.  
 9 Q. And when was that?  
 10 A. At different times.  
 11 Q. How many times?  
 12 A. Three or four times.  
 13 Q. And was it around the same time as this  
 14 picture was taken?  
 15 A. Yes.  
 16 Q. What did you say to him?  
 17 A. That I wanted to make my relationship with  
 18 Cheryl work for the sake of the boys. He didn't  
 19 seem to care, one way or the other.  
 20 Q. What did he say specifically?  
 21 A. He basically told me to get away from him,  
 22 not to have any contact with Cheryl. And it was in  
 23 my best interest to stay away from Cheryl.

Page 18

1 A. A good friend of mine, Buddy Wilkins, who  
 2 lives in town, 19 Webster Avenue, witnessed Cheryl  
 3 Bordeleau and Officer Tom Goulden multiple times,  
 4 multiple locations in town while Officer Goulden was  
 5 on duty in a Pelham Police Cruiser. They were  
 6 parked side-by-side on Bridge Street and chatted for  
 7 hours.  
 8 Q. You attached to the interrogatories a  
 9 couple of photographs of a police car next to a --  
 10 what appears to be a white SUV.  
 11 (Document handed to witness.)  
 12 Q. And I'm showing you one of those that bears  
 13 the caption below that says, This went on and on for  
 14 months. Do you know who took that picture?  
 15 A. I did.  
 16 Q. And who is in the police car, if you know?  
 17 A. Officer Thomas Goulden.  
 18 Q. And whose white SUV is that in the  
 19 background?  
 20 A. That's Cheryl Bordeleau's. It's a Toyota  
 21 Sequoia.  
 22 Q. And when was this picture taken?  
 23 A. I don't know the exact date.

Page 20

1 Q. Was Cheryl still living with you at that  
 2 time?  
 3 A. Yes.  
 4 Q. In the -- any other conversations that you  
 5 had from -- sorry about that. Any other  
 6 conversations you had with Mr. Goulden regarding Ms.  
 7 Bordeleau? Do you remember him saying anything else  
 8 to you?  
 9 A. He basically told me he would take my life  
 10 and turn it inside out and there wouldn't be nothing  
 11 I could do about it.  
 12 Q. And when you say he basically told you  
 13 that, is that as close to a quote as you can get?  
 14 A. He said he got rid of her boyfriend in the  
 15 past.  
 16 Q. Anything else you remember Mr. Goulden  
 17 telling you with respect to his relationship with  
 18 Ms. Bordeleau or with respect to you?  
 19 A. Told me to watch my back.  
 20 Q. And this is all around the time that this  
 21 photo was taken, which was around --  
 22 A. It went on for months.  
 23 Q. Do you know where you get the date, May



Page 25

1 Cheryl Bordeleau very well.  
 2 Q. Where did this conversation take place?  
 3 A. Police station.  
 4 Q. One time or more than once?  
 5 A. More than once.  
 6 Q. Anything else that Mr. McCarthy said to you  
 7 that made you believe that there was a conspiracy by  
 8 Thomas Goulden to have you arrested?  
 9 A. I asked Mr. McCarthy why I was followed in  
 10 and out -- in or out of town. Why I was escorted in  
 11 or out of town. And he described it was the hour of  
 12 the night. And then he smiled. And he said, You  
 13 know why you're being escorted.  
 14 Q. And what did you take that to mean?  
 15 A. I was being harassed by the Pelham Police  
 16 Department and it was going to continue.  
 17 Q. Did you have any other conversations that  
 18 you recall with Mr. McCarthy regarding Thomas  
 19 Goulden?  
 20 A. Not at this time.  
 21 Q. You mean not at the time?  
 22 A. Not that I can recall at this moment.  
 23 Q. Okay. Anyone else that you spoke with that

Page 27

1 concerned that I would be charged with something  
 2 that I didn't deserve. And that there was an  
 3 officer involved that was dating the mother of my  
 4 children. And it was to the Board of Selectmen.  
 5 And I gave it to Chief O'Roark.  
 6 Q. Is that when he said that you pissed off  
 7 the wrong person?  
 8 A. Yes, Sir.  
 9 Q. And did he tell you anything else?  
 10 A. He said it would be in my best interest to  
 11 move out of town.  
 12 Q. And you indicated that you showed him the  
 13 pictures that are attached to the interrogatories,  
 14 which I understand to take place right around the  
 15 time of May 2014 that's referenced in the complaint.  
 16 Is that around the time that you went to see Chief  
 17 O'Roark?  
 18 A. I don't remember the exact dates.  
 19 Q. Okay. Is it around the time that the  
 20 letter that you said you wrote to the Board of  
 21 Selectmen was written?  
 22 A. Approximately.  
 23 Q. Approximately within a month?

Page 26

1 gave you information that led you to believe that  
 2 there was a conspiracy --  
 3 A. Chief Joseph O'Roark.  
 4 Q. You just -- I know you know how I'm going  
 5 to ask my question, but just let me get the whole  
 6 thing out. Okay. Is there anyone else, besides Ms.  
 7 Bordeleau, Ms. Goulden and Chief McCarthy that gave  
 8 you information that led you to believe that Thomas  
 9 Goulden was conspiring to have you arrested? And  
 10 you answered Chief O'Roark. What did Chief O'Roark  
 11 tell you.  
 12 A. I called Chief O'Roark. I had a meeting  
 13 with him. I actually gave him copies of these  
 14 photographs. And he explained that I pissed off the  
 15 wrong people.  
 16 Q. And by the photographs you're indicating  
 17 the ones that are attached to your Answers to  
 18 Interrogatories?  
 19 A. Correct.  
 20 Q. Is that all he told you, that you pissed  
 21 off the wrong people?  
 22 A. I wrote him a letter and the selectmen in  
 23 regards to I was being harassed. And I was

Page 28

1 A. Within a year.  
 2 Q. Would you have waited a whole year after  
 3 the board's letter to go see the chief?  
 4 A. No.  
 5 Q. Did you ever get any response from the  
 6 board?  
 7 A. No.  
 8 Q. Okay. Other than the people you've  
 9 mentioned so far is there anyone else who has  
 10 provided you information that leads you to believe  
 11 that Mr. Goulden was conspiring to have you  
 12 arrested?  
 13 A. I don't recall at this time.  
 14 Q. On Paragraph 19 you reference a lieutenant  
 15 that you refer to as John Doe, who advised you that  
 16 you should have kept your mouth shut while he was  
 17 doing his civil standby at your house. Do you know  
 18 today who that person is?  
 19 A. I do not. He pulled up in an unmarked  
 20 cruiser.  
 21 Q. Was this during the search warrant?  
 22 A. No. This was prior to it.  
 23 Q. What was the civil standby for?

Page 29

1 A. I had a problem with Michelle Stone. And I  
 2 needed her to vacate my house.  
 3 Q. How had you met Miss Stone?  
 4 A. On Match.  
 5 Q. And in September and October of 2016 had  
 6 she been living with you at 31 Jonathan Road?  
 7 A. Yes.  
 8 Q. Just you or anyone else?  
 9 A. She had a son with her.  
 10 Q. And approximately how long did Miss Stone  
 11 live with you at 31 Jonathan Road?  
 12 A. Couple of years, approximately.  
 13 Q. And when you asked her to leave is that in  
 14 October of 2016 when this civil standby took place?  
 15 A. Prior.  
 16 Q. Do you know how much prior?  
 17 A. I do not recall the dates.  
 18 Q. Okay. Within a week of the civil standby?  
 19 A. It was more like two or three weeks.  
 20 Q. Okay. How did you get into sort of the dog  
 21 rescue business?  
 22 A. Through ARNE, which is Animal Network of  
 23 New England, Donna Clark.

Page 31

1 marked as Exhibit 2 is a search warrant affidavit  
 2 completed by Allison Caprigno and ultimately  
 3 offered -- issued by Judge Stephen. I want to go  
 4 through a few different statements that are in here  
 5 starting, really, at Paragraph Six. Paragraph Six  
 6 starts with, On September 30th, 2016 I spoke with  
 7 Kevin Rocheville about a dog at large complaint, and  
 8 I'm paraphrasing here. Do you remember that  
 9 incident?  
 10 A. Yes.  
 11 Q. Okay. A neighbor of yours, Kelly Salois,  
 12 complained about a dog; is that right?  
 13 A. I don't know a Kelly. And I don't believe  
 14 she lives anywhere near my home.  
 15 Q. Okay. When did it -- what happened when --  
 16 okay. Let me strike that. On September 30th, 2016  
 17 do you remember Miss Caprigno or Officer Caprigno  
 18 coming to your house?  
 19 A. Yes.  
 20 Q. And what did she say to you when she  
 21 arrived?  
 22 A. That was that there was a dog reported  
 23 loose.

Page 30

1 Q. And who's Donna Clark?  
 2 A. I believe she's a Director of ARNE.  
 3 Q. And approximately when was it that you  
 4 first got involved with ARNE?  
 5 A. Soon after I moved into my home.  
 6 Q. So around 2001?  
 7 A. Thereabouts. I don't recall the exact  
 8 dates.  
 9 Q. Prior to getting involved in ARNE had you  
 10 had any involvement with any sort of dog rescue or  
 11 dog fostering?  
 12 A. Off and on over the years I fostered  
 13 animals. Did what I could to help them get homes.  
 14 Q. I'm going to ask you some questions that I  
 15 think the easiest way to do this would be to show  
 16 you the search warrant affidavit. And use that to  
 17 help you with your memory.  
 18 MR. CULLEN: Perhaps, could you mark this,  
 19 please, as Exhibit 2.  
 20 (Rocheville Exhibit 2 was  
 21 marked for identification.)  
 22 (Document handed to witness.)  
 23 Q. BY MR. CULLEN: What I've shown you and

Page 32

1 Q. Okay. Did you have any loose dogs at that  
 2 time?  
 3 A. No.  
 4 Q. As of that time how many dogs were at your  
 5 house?  
 6 A. I don't recall.  
 7 Q. More than five?  
 8 A. Yes.  
 9 Q. More than ten?  
 10 A. I don't recall.  
 11 Q. What was the most number of dogs you recall  
 12 having at your house at one time?  
 13 A. A dozen anyway.  
 14 Q. If -- if Ms. Stone reported that you had  
 15 more than 30 at once would that be accurate?  
 16 A. No.  
 17 Q. Further down in this paragraph there's a  
 18 reference to a dog named, Ally, who I believe you  
 19 represented was a foster dog from the Whispers of  
 20 the Forgotten in New York?  
 21 A. Yes.  
 22 Q. And is that, in fact, where Ally was from?  
 23 A. She came from North Carolina, I believe.

Page 33

1 Q. How did Ally come into your possession?  
 2 A. A transport, I believe, brought her up.  
 3 Q. How was it that you had even heard about  
 4 Ally?  
 5 A. Through -- I believe it was through the  
 6 Internet, something Michelle found.  
 7 Q. Who arranged for Ally to be transported to  
 8 your house?  
 9 A. I believe it was Michelle.  
 10 Q. As of September 30th, 2016 Michelle had  
 11 been living with you for approximately two years?  
 12 A. Approximately.  
 13 Q. During that time how many dogs did Michelle  
 14 have transported to your house?  
 15 A. I don't recall the exact number.  
 16 Q. Was it dozens?  
 17 A. Maybe ten.  
 18 Q. Did Michelle keep these dogs, or did she  
 19 foster them to place them?  
 20 A. There was a few that she tried to adopt for  
 21 herself.  
 22 Q. And when you say, "Tried," did she succeed?  
 23 A. No.

Page 35

1 And they would be bring it to another person. And  
 2 that person would bring it to another person. And  
 3 basically it would be part of a transport. That's  
 4 how they would do it. People would volunteer their  
 5 time to transport the animals.  
 6 Q. And you worked in that capacity sometimes?  
 7 A. A few times, I have.  
 8 Q. As a volunteer did you -- in any of those  
 9 times did you have dogs transported to your house?  
 10 A. The transports came to my house a couple of  
 11 times, different dogs.  
 12 Q. And then would some other volunteer pick  
 13 them up and take them to the next step?  
 14 A. Depending on the circumstances, yes.  
 15 Q. And how long would the dogs be housed in  
 16 your house between transports?  
 17 A. Sometimes a day. Sometimes a week.  
 18 Q. Were you working full-time back in  
 19 September of 2016?  
 20 A. In -- I don't recall, but I do know that I  
 21 tried to work as much as possible. If I had a union  
 22 job, and I had a day off I would go and repair a  
 23 piece of equipment. I was constantly trying to make

Page 34

1 Q. Why was that?  
 2 A. I don't believe that they -- I don't know  
 3 exactly. I really don't.  
 4 Q. But you think it might have something to do  
 5 with paperwork?  
 6 A. I have no idea exactly what happened on  
 7 that circumstance.  
 8 Q. So she tried to adopt some. Forgive me.  
 9 Did she successfully adopt any?  
 10 A. No.  
 11 Q. And when she would try to adopt a dog, and  
 12 then not be able to, what happened to that dog?  
 13 A. I believe the dog would go out and be  
 14 adopted by another party.  
 15 Q. And who had arranged that?  
 16 A. One of the rescues.  
 17 Q. Did you also arrange to have dogs  
 18 transported to your house at various times?  
 19 A. I worked with a transport a few times.  
 20 Q. Who was that?  
 21 A. Well, we would all take an hour. And we'd  
 22 bring a dog. If a dog was coming from Florida  
 23 different people would take a length of the trip.

Page 36

1 a living.  
 2 Q. Six days a week most weeks?  
 3 A. Seven days a week.  
 4 Q. Most weeks?  
 5 A. Not all the time.  
 6 Q. As much as you could, though?  
 7 A. Yes. I was trying to pay my bills.  
 8 Q. The Massachusetts union jobs. Obviously, I  
 9 assume, they were in Massachusetts?  
 10 A. Yes, Sir.  
 11 Q. Boston or where?  
 12 A. All over the place. The union is based out  
 13 of Boston, but they could send me anywhere.  
 14 Q. Were those typically one-day jobs or  
 15 multi-day jobs from the union?  
 16 A. It depended. It was all over the place.  
 17 Q. The report that I was looking at, Paragraph  
 18 Six, indicates that Ally had just had seven puppies  
 19 within the last 24 hours. Is that something that  
 20 either you or Michelle told Officer Caprigno?  
 21 A. I believe that would be Michelle.  
 22 Q. And had the dog just had puppies?  
 23 A. Yes.



Page 49

1 whatever. And the ultimate understanding that I  
2 have out of this whole incident was that the doctor,  
3 when they put the stitch when -- I guess there's an  
4 artery in there when they castrate a dog, that  
5 stitch let go. And it caused Gotti to bleed out  
6 inside. And as far as I'm concerned I had nothing  
7 to do with it. I did everything correctly. And  
8 then Jody Harris explained to me in detail that the  
9 insurance company from the veterinarian was going to  
10 pay all the vet bills.

11 Q. Okay.

12 A. That it was a mistake by Windham Animal  
13 Hospital.

14 Q. Did that insurance company end up paying  
15 those bills?

16 A. I do not know. Jody Harris and I did not  
17 speak about it afterwards. She wouldn't let me have  
18 anything to do with the dog. She said that, you  
19 know, basically, the acting out by Michelle was  
20 unprofessional.

21 Q. After that incident with Gotti and your  
22 conversation with Harris did that change your  
23 relationship with Jody Harris?

Page 51

1 disturbance involving Rocheville and Stone. Do you  
2 remember the incident that that references?

3 A. That -- yeah. That's the day that I asked  
4 Michelle to leave, to stop. Find a place to live.

5 Q. And when you asked her to leave what  
6 happened?

7 A. She didn't want to leave.

8 Q. Was your asking her to leave in relation to  
9 the Gotti incident the day before and her behavior?

10 A. I didn't want to do any more fostering.  
11 And Michelle was involved in the fostering. We  
12 didn't see eye-to-eye anymore.

13 Q. At the time that you asked Michelle to  
14 leave how many dogs did she have at your property?

15 A. She didn't own any dogs. They were foster  
16 dogs.

17 Q. Okay.

18 A. And I don't recall the exact amount.

19 Q. Did she -- did she leave that night?

20 A. Yes.

21 Q. Okay. After that did she ever live at your  
22 property again?

23 A. I don't believe so.

Page 50

1 A. Absolutely.

2 Q. In what way?

3 A. I explained to her that I didn't want to  
4 foster any more of her animals. And that, you know,  
5 I'm done. I didn't want to do any more.

6 Q. How did she take that news?

7 A. She was -- she was so upset. She was  
8 screaming at me. She'd hang up, call back. Hang  
9 up, call back. And I said, Jody, I want out of all  
10 of this. I want these dogs in good homes. I'm  
11 done.

12 Q. And at that stage how many dogs did you  
13 have from her place, the Looking Glass Animal  
14 Rescue?

15 A. Allison picked up four dogs that was  
16 Jody's. She went to another rescue up in New  
17 Hampshire somewhere.

18 Q. And that was at your request?

19 A. No. It was Jody Harris's request. She had  
20 Allison come over to the house.

21 Q. On Paragraph Eight Caprigno writes that, On  
22 October 6, 2016 she assisted Officer Ryan Donovan at  
23 31 Jonathan Road for a criminal trespass, domestic

Page 52

1 Q. Was she -- was Michelle angry with you?

2 A. Very upset.

3 Q. Very upset. When was the last time you  
4 spoke with Michelle Stone?

5 A. I talk to her from time to time.

6 Q. Do you remember the last time?

7 A. I don't.

8 Q. Was it within this year of Covid that we've  
9 had?

10 A. Yes.

11 Q. Do you ever talk to her about your lawsuit?

12 A. She doesn't want to hear it. And I don't  
13 want to talk to her about it.

14 Q. So you have not had any substantive  
15 conversations about it with her?

16 A. No.

17 Q. On Paragraph Nine it says, On October 7th  
18 at 8:49 a.m. Michelle Stone came to the Pelham  
19 Police Department to follow up. A little later it  
20 says, Stone showed me pictures on her phone that she  
21 had taken showing 20 to 30 dogs being kept in  
22 plastic and wire-style crates. Do you remember  
23 seeing pictures like that from Michelle?



Page 61

1 A. Yes.

2 Q. And when did she tell you that?

3 A. It was probably two weeks after everything

4 went down.

5 Q. I take it, during the time that -- between

6 the time that you asked Michelle to leave and the

7 search warrant were you and Michelle talking?

8 A. No.

9 Q. She's still pretty angry with you?

10 A. Yes.

11 Q. There's a reference here to a Sudbury

12 Animal Control Officer, Jennifer Condon. Is that

13 the person you were talking about?

14 A. Yes.

15 Q. Paragraph 12, Sir, it talks about an

16 October 11th unannounced follow-up by Caprigno at

17 your house. She indicates that she pulled into the

18 driveway. You met outside, met her outside with

19 three dogs. Do you recall this visit?

20 A. I believe that is when that lady came and

21 got the dogs that Jody wanted back.

22 Q. Okay. And is that why you had the dogs

23 outside, to deliver them?

Page 63

1 Q. And as a result of that she had dogs

2 transported to your house?

3 A. Yes.

4 Q. You're not sure how many?

5 A. No.

6 Q. Did you ever speak to Susan Young,

7 yourself?

8 A. Yes.

9 Q. About how many times?

10 A. Several times.

11 Q. Did you also get involved in making sure

12 the logistics worked out when these dogs got to you?

13 A. There were times where they asked me when I

14 would be home, or if it was possible that they could

15 deliver a dog, or they also asked me about taking

16 like an hour trip. Say, a dog from a length of the

17 trip that they were transporting. They were looking

18 for volunteers.

19 Q. How was it that you ended up paying vet

20 bills for the dogs that came up to you from Texas

21 from Miss Young's organization?

22 A. One of them was Onyx. They didn't want to

23 reimburse. Their attitude toward the dogs was just

Page 62

1 A. I believe what happened there is the lady

2 that came to get the dogs didn't even have leashes.

3 And she went to grab one. And the dog got loose.

4 And then, I believe, Allison, actually, had leashes

5 for her.

6 Q. Officer Caprigno later references a phone

7 call that she received from a Susan Young of Texas

8 from the Next Samaritan Rescue Group. Do you know

9 who that is?

10 A. Yes.

11 Q. And how did you first meet or get in

12 contact with Susan Young?

13 A. I had asked her about basically reimbursing

14 me for veterinarian bills.

15 Q. Did you have foster dogs that had come to

16 you from Next Samaritan Rescue Group in Texas?

17 A. Yes.

18 Q. Do you know how many?

19 A. I do not recall. That was a Michelle

20 dealing back and forth on the Internet thing.

21 Q. So your memory is that Michelle connected

22 with Susan Young over the Internet?

23 A. Yes.

Page 64

1 euthanize them. We don't have the money. We're not

2 going to spend the money. I believe I talked to her

3 the night that I had brought Onyx to Rockingham

4 Emergency. And she had no money. And she said she

5 couldn't facilitate any of the vet bills.

6 Q. And that's part of why you took it on

7 yourself?

8 A. I didn't want to the dog to die. And I

9 explained it to Michelle, that if you foster a dog

10 the people you're fostering it for, they have to pay

11 the vet bills. That's one thing that Jody Harris

12 did. She paid vet bills. Part of a foster

13 agreement.

14 Q. So Michelle didn't always follow through on

15 that?

16 A. No, Sir.

17 Q. Officer Caprigno writes that, Susan Young

18 had called to say two dogs had been found in Nashua

19 that were from the Next Samaritan Rescue Group. Do

20 you recall that?

21 A. I do not. At this time I do not. I don't

22 recall it.

23 Q. In Paragraph 13 Officer Caprigno reports

Page 65

1 that she received information from a Salem Animal  
2 Control Officer Bliss. Do you know who Officer  
3 Bliss is?  
4 A. No, Sir.  
5 Q. And Bliss, she says, reported to her that  
6 she got a call from the MSCPA in Methuen, Mass, who  
7 wants to surrender a sick Pit Bull for his friend.  
8 Do you know what dog that was?  
9 A. That would have been Xena.  
10 Q. Okay. Is that Xena with an X?  
11 A. I believe so.  
12 Q. And how did your friend end up having  
13 possession of Xena?  
14 A. I don't recall saying, "Friend," at all.  
15 Q. Okay. But how did this person end up  
16 having Xena?  
17 A. I believe Xena came from a rescue Up State  
18 New York. And somewhere along the line the dog  
19 ended up being my dog. Like I adopted it. I didn't  
20 even know it was my dog.  
21 Q. How does that happen?  
22 A. It had to be something with Michelle. I do  
23 not know.

Page 67

1 Q. Do you think Michelle completed that  
2 paperwork?  
3 A. I don't know.  
4 Q. When did you learn Xena had officially, at  
5 least on paper, become your dog?  
6 A. I don't recall the date.  
7 Q. Was it before or after the search at your  
8 house?  
9 A. It was after.  
10 Q. Do you know how it was that Xena ended up  
11 in the care of somebody -- who brought Xena to  
12 Methuen, Massachusetts?  
13 A. I brought Xena to Methuen, Massachusetts.  
14 Q. Who did you leave Xena with?  
15 A. I have a friend up in Hudson. And I asked  
16 him to help me find some of these dogs homes.  
17 Q. This is in the gap between when Michelle  
18 Stone leaves and when the search warrant happens?  
19 A. Yes.  
20 Q. Is it fair to say you're trying to find  
21 homes for the dogs that Michelle has brought to your  
22 house and is no longer caring for?  
23 A. Can you rephrase that question?

Page 66

1 Q. So if you get a rescue that you're going to  
2 foster do you get specific paperwork that assigns --  
3 A. You're supposed to.  
4 Q. Okay.  
5 MR. AIVALIKLES: You've got to let him  
6 finish asking his question.  
7 THE WITNESS: Sorry.  
8 MR. AIVALIKLES: That's okay.  
9 Q. BY MR. CULLEN: And then when the dog gets  
10 adopted by someone is there another set of  
11 paperwork?  
12 A. Yes.  
13 Q. All right. This is going to sound a little  
14 callous, but is it kind of like the title of the  
15 car, that it just goes to whoever it's supposed to  
16 go to?  
17 A. Yes.  
18 Q. So at some stage the -- the papers for Xena  
19 changed from her being a foster dog, for either you  
20 or Michelle, to being your dog?  
21 A. Correct.  
22 Q. And you don't know how that happened?  
23 A. No, Sir.

Page 68

1 Q. Yeah. I'll try it again. So in the gap  
2 between when Michelle Stone leaves your house and  
3 the search warrant the dogs that she's fostering are  
4 still at your house; is that fair? Is that correct?  
5 A. No.  
6 Q. Okay. Where are the dogs that she's  
7 fostering?  
8 A. Jody Harris had a bunch of them picked up.  
9 Q. So let me -- you're right. I wasn't as  
10 clear as I should have been. At the time Michelle  
11 Stone first left your house -- I think, according to  
12 the papers we have it as about October 6th of  
13 2016 -- she doesn't take any dogs with her when she  
14 leaves, I assume?  
15 A. No, Sir.  
16 Q. So as of that time when she physically  
17 leaves the house the dogs she's fostering are still  
18 at your house?  
19 A. Correct.  
20 Q. And over the next two weeks are you  
21 dispersing those dogs, either back to their rescues  
22 or finding homes for them?  
23 A. It had been going on well before that.

Page 69

1 Q. All right. This was an ongoing thing?

2 A. Yeah. Basically, I was fostering. So the

3 idea of fostering is to hold a dog until it can go

4 to a different home or be adopted.

5 Q. Okay. So in getting Xena why were you

6 approaching a person in Hudson to find a home for

7 Xena?

8 A. It was a friend. And he knew a lot of

9 people. And my understanding was that we would find

10 these dogs homes, so that they have a home.

11 Q. And who was that friend?

12 A. Dubowik.

13 Q. I'm sorry?

14 A. Dubowik is his name.

15 Q. That's his last name, I assume?

16 A. Yeah.

17 Q. Do you know his first name?

18 A. He goes by different names, but it's

19 Dubowik. Dan Dubowik.

20 Q. And how long have you known Dan?

21 A. Ten years.

22 Q. And you -- was it Dan who found him a

23 place -- found Xena a place in Methuen that you then

Page 71

1 Q. How long had you had Xena before you

2 brought her to the clinic in Tyngsborough?

3 A. She had been with me a couple of months. A

4 little longer. I don't know the exact time frame.

5 Q. Okay. But as of October 12th, 2016 she was

6 now in Methuen?

7 A. No.

8 Q. Where was she?

9 A. She was at my house.

10 Q. Had she recovered from her illness?

11 A. No. We were trying different foods.

12 MR. CULLEN: There's a photo here that I'll

13 just mark as Exhibit 3.

14 (Rocheville Exhibit 3 was

15 marked for identification.)

16 (Document handed to witness.)

17 Q. BY MR. CULLEN: This photograph, which has

18 a date of -- I believe it has a date of October 18,

19 2016, the date of the search warrant, is that feces

20 from Xena?

21 A. No.

22 Q. Do you know what that is?

23 A. It would probably be Ally.

Page 70

1 delivered to it to?

2 A. I'm confused, Sir.

3 Q. Sure. My understanding was that we've got

4 this sick Pitbull in Methuen, being Xena; is that

5 fair?

6 A. Yes.

7 Q. Okay. And if I understood you correctly,

8 you went to your friend, Dan, in Hudson to look for

9 a home for Xena. And he connected you to somebody

10 in Methuen, who might be able to take the dog?

11 A. Incorrect.

12 Q. Okay. What actually happened?

13 A. I had gone to Methuen to see if we could

14 help Xena out. I had brought her to a vet in

15 Tyngsborough. And she was having issues with her

16 stomach. And basically we had tried different

17 plans, as far as foods and things that were good for

18 her stomach, but she deteriorated very, very fast.

19 Q. Was she getting -- was she getting really

20 thin because of her stomach issues?

21 A. Yes.

22 Q. Was she having diarrhea?

23 A. Yes.

Page 72

1 Q. Okay. The dog who had had the puppies?

2 A. Yes.

3 Q. Do you know why the -- the dog pooped on

4 the ground?

5 A. Well, if they storm the front door, as I've

6 seen, where they lay the door down on the floor,

7 probably scared the dog. And she was giving the

8 pups milk. And her digestive system probably was on

9 high range because she was feeding nine puppies.

10 Q. Paragraph 14, actually, references Dan

11 Dubowik. At least Officer Caprigno spells it,

12 D-u-b-o-w-i-c-k. Do you know if that's the correct

13 spelling?

14 A. I do not, Sir.

15 Q. It looks like he runs an excavating

16 business?

17 A. He sells equipment.

18 Q. Okay. Officer Caprigno reports here that

19 she had received information from Hudson Officer

20 Matthew Blazon indicating that Dan Dubowik had

21 reported five abandoned puppies. Had you delivered

22 five dogs to Dan?

23 A. The dogs were to be found homes. They were



Page 73

1 not abandoned.  
 2 Q. But was he caring for them while --  
 3 A. Yes. He said he would help me with them.  
 4 Q. So he was caring for them while you and he,  
 5 together, were looking for homes for them?  
 6 A. Yes.  
 7 Q. Blazon describes three full-sized Pitbull  
 8 dogs, one was a white dog visibly emaciated with a  
 9 bony structure and cataracts in both eyes. Do you  
 10 know what dog that was?  
 11 A. It was -- it would be Xena.  
 12 Q. Okay. That would be Xena. Another was a  
 13 black Pitbull. And a third was a white and brown  
 14 mix Pitbull that looked like it had recently been  
 15 bred. Would that third one be Ally?  
 16 A. No. Ally was confiscated by Officer  
 17 Caprigno.  
 18 Q. Well, when was that that she confiscated  
 19 her? Oh, at your house on the search warrant?  
 20 A. Yes, Sir.  
 21 Q. So she wasn't temporarily at Dubowik's --  
 22 A. No, Sir.  
 23 Q. -- a week earlier? Okay. Do you know

Page 74

1 which dog the white and brown Pitbull mix was?  
 2 A. I do not. I don't know them by name like  
 3 that.  
 4 Q. Okay. But it's one of the dogs that you  
 5 delivered to Dan for him to care for.  
 6 A. Yeah. At this time I don't remember the  
 7 dog's name.  
 8 Q. That's okay. Going to Paragraph 17, Sir.  
 9 There's a report of another call from Officer Condon  
 10 in Sudbury, Mass referring to a property at 1030  
 11 Concord Road in Sudbury. Is that Macone's address?  
 12 A. Yes, Sir.  
 13 Q. All right. She reported that there were  
 14 four dogs stored in the rear shop on that property.  
 15 Do you know if any of your dogs were there?  
 16 A. Yes, Sir.  
 17 Q. Are those the four that you thought Sarah  
 18 was adopting?  
 19 A. No, Sir.  
 20 Q. Which four are these?  
 21 A. One dog named Kevin that I got that was --  
 22 he had been in a dog fight prior to me getting him.  
 23 Q. Okay. Do you remember what the other ones

Page 75

1 were?  
 2 A. I do not at this time.  
 3 Q. Okay. How was it that these four dogs came  
 4 to be at 1030 Concord Road?  
 5 A. I was working for Doug at the time. And I  
 6 was there quite a bit, so it was easier for me to  
 7 take care of them when I was there. I was traveling  
 8 back and forth from home to there.  
 9 Q. Okay.  
 10 A. But while I was there I was able to feed  
 11 and water the dogs and make sure they were good.  
 12 Q. Okay. And so you had dogs at home, also,  
 13 right?  
 14 A. Yep.  
 15 Q. So having four dogs at Macone's probably  
 16 made it a little easier?  
 17 A. The one dog, Kevin, I was concerned with,  
 18 and had brought him to the vet. They had given me  
 19 ointment to -- because he had a couple of things on  
 20 his paws. And, basically, it was easier for me to  
 21 be with him all day, be working in the next shop  
 22 over. Easy to run over and make sure he had water  
 23 and food.

Page 76

1 Q. Then did those dogs stay there for the  
 2 night. And you'd see them the next day?  
 3 A. Yes, Sir.  
 4 Q. And Condon indicates that the other dogs  
 5 may have been named Lilly, Beyrun, B-e-y-r-u-n, and  
 6 Oreo. Does that refresh your recollection as to the  
 7 other dogs?  
 8 A. It's possible, Sir.  
 9 Q. Rocheville stated that they were his  
 10 personally owned dogs. Were those ones your own  
 11 ones?  
 12 A. I don't remember making that statement,  
 13 Sir.  
 14 Q. Okay. But do you know if they were your  
 15 own?  
 16 A. As far as I can see they were all foster  
 17 dogs at the time.  
 18 MR. CULLEN: Okay. I forget if we marked  
 19 the affidavit.  
 20 COURT REPORTER: We did.  
 21 MR. AIVALIKLES: That's two.  
 22 Q. BY MR. CULLEN: Were you present when the  
 23 search warrant was executed?



Page 85

1 (Rocheville Exhibit 10 was  
2 marked for identification.)  
3 (Document handed to witness.)  
4 Q. BY MR. CULLEN: Looking at that document  
5 there's a series of medicines listed on the first  
6 page. Are those all medicines for various dogs that  
7 were in your care, or Michelle's care?  
8 A. Yes. And some of it is for people.  
9 Q. Are you able to split out the ones that are  
10 for people?  
11 A. The Benadryl is for people. Using it for  
12 allergy relief.  
13 Q. Sure.  
14 A. I'm not a chemist or a pharmacist, so I  
15 wish I could help you further.  
16 Q. Okay.  
17 A. I don't know.  
18 Q. Would it be fair to say the majority of  
19 those are for dogs?  
20 A. Some of them are. I don't know if it's the  
21 majority.  
22 Q. On the bottom it says there's a Gray  
23 Brindle in the first floor bathroom, a Pitbull

Page 86

1 female. Do you see that?  
2 A. Yep.  
3 Q. Do you remember having a -- leaving for  
4 work that morning and leaving a Pitbull in the  
5 bathroom?  
6 A. I do not.  
7 Q. Is that the dog that did the damage to the  
8 door, to your knowledge, one way or the other?  
9 A. I don't believe so, no.  
10 Q. Going onto the second page. On the Master  
11 Bedroom it indicates there were four puppies  
12 Rottweiler mix. Those would be Ally's puppies, I  
13 assume?  
14 A. Yes.  
15 Q. And then it says, Back left bedroom, Black  
16 and Tan Rottweiler mix female. Is that Ally with  
17 the purple collar and skulls?  
18 A. What are skulls? What's the reference to  
19 the skulls?  
20 Q. I think it indicates a collar with skulls.  
21 Purple collar with skulls.  
22 A. I -- I don't recall, Sir.  
23 Q. Okay.

Page 87

1 A. I don't remember.  
2 Q. Okay. Did Ally and the puppies stay in the  
3 same room when you were away, or did they stay in  
4 separate rooms?  
5 A. I would take Ally outside on a leash,  
6 which -- so she would get some air and walk around  
7 on the grass. And if she had to pee or poop she was  
8 outside. Give her a break from the puppies. Not  
9 for long periods of time, but to get her some air.  
10 Q. And then after that would she go back in  
11 with the pups?  
12 A. Yes, Sir.  
13 MR. CULLEN: I'm going show you a Police  
14 Narrative. Reference 16-954-OF. And we'll just mark  
15 that as Exhibit 11.  
16 (Rocheville Exhibit 11 was  
17 marked for identification.)  
18 (Document handed to witness.)  
19 Q. BY MR. CULLEN: You're welcome to look at  
20 as much of this as you want, Mr. Rocheville. I,  
21 actually, just want to turn your attention, when  
22 you're ready, to the list of dogs on page three.  
23 A. (So indicated.)

Page 88

1 Q. Officer Caprigno indicates in her report  
2 that Michelle Stone stated that these dogs were in  
3 the house when she moved out on or about October  
4 6th, 2016. There's about 35 of them. Was that  
5 correct, what she said to Officer Caprigno, that  
6 those 35 dogs were at your house when she moved out?  
7 A. I don't believe so, no.  
8 Q. Do you know approximately how many dogs  
9 were at your house when Miss Stone left?  
10 A. I do not, Sir.  
11 Q. As I look through the list I notice that  
12 No. 23 is Ally and eight puppies. So if you add  
13 those eight puppies to the 35 we're up to 43 dogs at  
14 the house. Would you agree with me that if, indeed,  
15 there were 43 dogs, including the puppies, at the  
16 house at any one time that would be too many?  
17 A. Yes.  
18 Q. Too many for you and Michelle to care for?  
19 A. It was my understanding that puppies  
20 weren't considered because they were less than two  
21 weeks old at the time.  
22 Q. Excluding the puppies, if there were  
23 actually 35 dogs at your house at one time would you

Page 89

1 agree that was too many?  
 2 A. Absolutely, I would agree to it.  
 3 Q. And you mentioned that Michelle was pretty  
 4 mad at you after you had asked her to leave. Do you  
 5 have any reason to believe she wouldn't have at  
 6 least told Officer Caprigno that all these dogs were  
 7 at the house?  
 8 MR. AIVALIKLES: Objection. You can  
 9 answer, if you can.  
 10 A. Could you rephrase the question.  
 11 Q. Do you have any reason to think that Stone  
 12 didn't actually tell Caprigno that these 35 dogs  
 13 were at the house?  
 14 MR. AIVALIKLES: Objection.  
 15 A. Still not understanding what you're saying,  
 16 Sir.  
 17 Q. Well, the report indicates that Michelle  
 18 Stone told Officer Caprigno that these 35 dogs were  
 19 at the house at the time she left. And you had also  
 20 indicated to me that Michelle Stone was pretty mad  
 21 at you or pretty upset, anyway, at that time. I'm  
 22 asking if you have any reason to believe that  
 23 Michelle did not actually tell Caprigno that there

Page 90

1 were these 35 dogs there?  
 2 A. I've answered the question already.  
 3 Q. Okay. I'm sorry. I guess I didn't get the  
 4 answer. I think the answer is she could have said  
 5 that?  
 6 A. We've already stated that she was upset.  
 7 Q. And because she was upset she could have  
 8 said that?  
 9 A. I don't know exactly what Michelle said or  
 10 didn't say --  
 11 Q. Okay. That's fair.  
 12 A. -- to the officers.  
 13 Q. Perfectly fine. Good answer. On Paragraph  
 14 22 of the complaint, which was marked as Exhibit 1,  
 15 you reference that in December of 2016 you had an  
 16 incident in the lobby with Officer or Lieutenant  
 17 Keenlside, K-e-e-n-l-i-s-i-d-e. It's page three,  
 18 Paragraph 22 of the complaint. I think what you  
 19 have in front of you might be the Interrogatories.  
 20 It's that one. (Indicating.)  
 21 (Document handed to witness.)  
 22 A. Thank you. Your question again, Sir?  
 23 Q. Yeah. Just referencing that paragraph can

Page 91

1 you tell me what happened in the lobby that day.  
 2 A. Yes.  
 3 Q. What happened?  
 4 A. I went in to pay the vet bill. And the  
 5 bill for boarding the dogs. And Officer Keenlside  
 6 asked me -- can I quote this?  
 7 Q. Yes.  
 8 A. What the fuck are you looking at? What is  
 9 your fucking problem? And he came over. And I was  
 10 talking to Allison. And he went around Allison.  
 11 And he bumped me in the chest. He gave me one of  
 12 these. Pushed me back. (Indicating.)  
 13 Q. So he chest bumped you back?  
 14 A. Yep. He told me to go for it. I told him,  
 15 Merry Christmas.  
 16 Q. When you first entered the lobby was  
 17 anybody in the lobby?  
 18 A. No.  
 19 Q. Did you go up to the glass and ask for --  
 20 A. I did.  
 21 Q. -- Allison? And did Allison Caprigno come  
 22 out?  
 23 A. It took a while.

Page 92

1 Q. Okay. When she came out did she come out  
 2 alone?  
 3 A. No.  
 4 Q. Did she come out with Officer Keenlside?  
 5 A. Yes, Sir.  
 6 Q. And when she came out who spoke first; you,  
 7 Officer Caprigno or Officer Keenlside?  
 8 A. Officer Keenlside.  
 9 Q. And is that when he said that to you?  
 10 A. Yes.  
 11 Q. That was the first exchange between any of  
 12 you?  
 13 A. Absolutely.  
 14 Q. And how long after they entered the lobby  
 15 did he make that statement?  
 16 A. As they walked in.  
 17 Q. Had you ever seen him before?  
 18 A. Yes.  
 19 Q. And when was that?  
 20 A. I worked in town doing septic systems. I  
 21 had a job over on the Cobbetts Pond, -- not Cobbetts  
 22 Pond. It was for Don Rodding. I don't recall the  
 23 exact address, but I had to cross a road with the

Page 97

1 insurance.

2 Q. Where does Ms. Milgroom work out of?

3 A. Andover.

4 Q. Andover, Mass?

5 A. Yes, Sir.

6 Q. And do you have an idea how to spell her

7 last name?

8 A. I do not, but I have her card and

9 information.

10 Q. Okay. I'll talk to your lawyer about

11 getting that later. In the Answers to

12 Interrogatories at Answer 19 I think you -- I don't

13 know if you still have these in front of you.

14 There's a copy here. Sorry.

15 (Document handed to witness.)

16 Q. And the question asks you to identify

17 people who have indicated to you that your

18 reputation has been damaged as a result of the

19 conduct of the defendants. What I'd like you to do

20 is tell me if any of these people have indicated to

21 you that they -- strike that. After your -- after

22 the search warrant was executed and the -- you were

23 arrested there was some newspaper articles about it;

Page 99

1 business manager told me that he can't put me to

2 work because of bad public relations. And I need to

3 get my personal life in order.

4 Q. And what was his name?

5 A. The business agent's name is William

6 McLaughlin. I believe he's on the next page. Can't

7 see. David Fantini, Paul McGarco.

8 Q. I see it there, Sir, about a third of the

9 way down.

10 A. A lot of these names are business agents.

11 The way that works is the business agents dispatch

12 the union employees. I hold a complete hoisting

13 license for the State of Massachusetts, which means

14 there's no restrictions on my licenses, which means

15 when the business has a gentleman that doesn't show

16 up or is sick and/or doesn't feel well, and the

17 business agent is stuck in the middle of it, and he

18 needs to have a crane operator they call an ace in

19 the hole. He can call me. I can go to the job. I

20 drug test with no issues. I've never had any bad

21 drug test. And I can run any piece of equipment.

22 And I can also fix the equipment. And having a

23 union book, being able to make a living with that

Page 98

1 is that right?

2 A. Correct.

3 Q. Were there also some web posts about it on

4 Facebook or elsewhere?

5 A. There's 17 articles against me on Google as

6 we speak.

7 Q. And do those all stem from your arrest in

8 this case?

9 A. Yes, Sir.

10 Q. And is it those articles that have caused

11 you the damage in your community?

12 A. There isn't anybody in town that will hire

13 me. After that went down nobody would even talk to

14 me.

15 Q. And it stems from the search warrant and

16 the arrest?

17 A. Well, and the publicity; the newspaper

18 articles, the TV article. I was on every channel.

19 Allegations were made. And people saw them on the

20 news, so they just assume they were correct.

21 Q. These were the allegations that you were a

22 dog hoarder or dog abuser?

23 A. Yeah. 25 years in Local 4, and the

Page 100

1 kind of wages and those kind of benefits and

2 insurance, and having two children to pay child

3 support every week, it's imperative. By losing that

4 took my livelihood away.

5 Q. Did -- do you not do any work now for the

6 union?

7 A. He had dispatched me to one job. I was on

8 Dock Ave. And a couple of guys had made comments to

9 me about a dog abuser. The business agent came and

10 removed me from the job, so that he didn't have any

11 altercations. And that's where it ended up, in the

12 office of business agents. They actually brought me

13 in front of the executive board. And I thought they

14 were going to pull my book, but they didn't. They

15 wanted me to explain, which I can't.

16 Q. When was that?

17 A. It was about a year after the incident.

18 Went down when they stole my house. And they

19 criminally charged me and arrested me, stormed my

20 house. I've tried several times with the different

21 business agents. They just don't want anything to

22 do with it.

23 Q. And how much, if any, less do you earn